



FOR CLERK USE ONLY

City Council

Item No. 9

CITY COUNCIL AGENDA FACT SHEET

Community Services

Department

July 20, 2010

Requested Date

1. Request:

Council Approval

☒Information Only/
Presentation☐

Other (specify)

☐

Hearing

☐

2. Requested Action:

Authorize City Manager to sign contract for fifth year of service for Live Homework Help service provided at the library.

3. Fiscal Impact:

Revenue:

Increase

☐

Source:

Decrease

☐

Amount:

Cost:

Increase

☐

Source:

Decrease

☐

Amount:

Does Not Apply

☒

Budgeted for 2010-2011

4,000

4. Reviewed By:

Finance Dept. on

By:

Comments:

City Attorney on

By:

Comments:

Note: Back up must be submitted along with this form. Deadline is 5:00 p.m., 2 Fridays before the scheduled meeting date.

CLERK USE ONLY:

CITY COUNCIL DATE:

Action

☐

Filing

☐

Consent

☐

Presentation

☐

Hearing

☐

Other(specify)

☐

Reviewed by: City Clerk

City Manager

Date

Date

**CITY COUNCIL
AGENDA REPORT**

SUBJECT: Live Homework Help Service Contract

AGENDA DATE: July 20, 2010

PREPARED BY:  Sandra Tauler, Community Services Director

APPROVED FOR AGENDA BY: Victor Carrillo, City Manager

RECOMMENDATION: Allow City Manager to sign contract for fifth year of service for Live Homework Help service provided at the Library.

FISCAL IMPACT: \$4,400 – amount already included in current budget

BACKGROUND INFORMATION: (Prior action/information)

The library has been offering this online tutoring program for the last 5 years. It provides one-on-one tutoring for students of all ages. Sessions usually last about 20 minutes and are provided in both English and Spanish. This is an annual contract renewal.

DISCUSSION (Current consideration)

Agenda Item No. _____

Page _____ of _____

Tutor.com Master Service Agreement Renewal

THIS RENEWAL AGREEMENT (the "Renewal"), is made and entered into as of July 1, 2010 by and between Tutor.com, Inc. ("Tutor.com") with its principal offices at 9 East 40th Street, 2nd Floor, New York, NY 10016, and Camarena Memorial Library (the "Library") with its principal offices at 859 Encinas Avenue, Calexico, CA 92231 (collectively, the "Parties").

Original Master Service Agreement. The Parties entered into a certain Master Service Agreement as of July 1, 2007 (the "Original Agreement") which sets forth the terms for the delivery by Tutor.com and the purchase by the Library of the web-based communication services as set forth in the then current service order (each a "Service Order" and collectively, the "Service Orders").

Renewal Term. The Parties hereby agree to extend the Term of the Original Agreement for a period of twelve months (the "Renewal Term"), such Renewal Term beginning the day after the last day of the Term of the Original Agreement. The Service Order attached hereto as Exhibit A shall set forth the services purchased by the Library and provided by Tutor.com during the Renewal Term pursuant to the terms of the Original Agreement. Capitalized terms not otherwise defined in this Renewal shall have the meaning ascribed to them in the Original Agreement, and for purposes of the Parties' understanding, the "Agreement" between the Parties shall consist of the terms and conditions set forth in this Renewal, the Original Agreement, the Service Orders, and any other agreements attached hereto or subsequently signed by both of the Parties and that reference the Original Agreement.

Counterparts. This Renewal may be executed in one or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument; however, this Renewal will be of no force or effect until executed by both Parties.

IN WITNESS WHEREOF, the Parties hereto have caused this Renewal to be duly executed as of the date first set forth above.

On behalf of the Library:

Signature

Name

Title

Date

On behalf of Tutor.com:

Signature

Kevin J Donalds

Name

SVP, Operations & CFO

Title

Date

EXHIBIT A

SERVICE ORDER OF MASTER SERVICE AGREEMENT

This order for the online tutoring services set forth herein constitutes a Service Order of the Master Service Agreement dated July 1, 2010, between Tutor.com, Inc. ("Tutor.com") and Camarena Memorial Library (the "Library").

Library Contact Information	Tutor.com PRIMARY CONTACT	Tutor.com BILLING CONTACT
Name: Sandra Tauler	Name: Tom Squillace	Name: Cesar Flores
Library: Camarena Memorial Library	Address: 9 East 40th Street	Address: 9 East 40 th Street
Address: 859 Encinas Avenue	Address: 2 nd Floor	Address: 2 nd Floor
City, St, Zip: Calexico, CA 92231	City, St, Zip: New York, NY 10016	City, St, Zip: New York, NY 10016
Telephone: (760) 768-2120	Telephone: (313) 432-0193	Telephone: 212-528-3101 x239
Fax:	Fax: (313) 447-2790	Fax: 646-619-4981
Email: stauler@calexico.ca.gov	Email: tsquillace@tutor.com	Email: cflores@tutor.com

Ordered Services and Fees. Tutor.com agrees to provide the Library with the following Services and the Library agrees to pay Tutor.com the fees set forth below.

Tutor.com Learning Suite Services include the K-12 Student Center, College Center and Adult Career Center. Each center includes either Live Homework Help® (K-12) or LiveTutor (college and adult) which offers one-to-one tutoring; ProofPoint™, real-time writing help; and, 24/7 access to the SkillsCenter™ Resource Library. Students access the Tutor.com Learning Suite Web site after authenticating into the Library's system, select the subject in which they need tutoring and then are connected to a qualified tutor. Learning takes place in Tutor.com's proprietary, Web-based, Online Classroom. Subjects offered include math, science, social studies and English for all students; Resume and GED help for college students and adults; help preparing for the citizenship test for adults.

Library Location and Description of Services	Locations Served	Start Date	End Date	Price
Tutor.com Learning Suite with Library and Remote Home Access				
Live Homework Help/Live Tutor Hours: 1pm – 10pm Daily	ALL	July 1, 2010	June 30, 2011	\$4,400.00
Tutor.com Learning Suite en Español with Library and Remote Home Access				
Live Homework Help/Live Tutor Hours: 1pm – 10pm Daily	ALL	July 1, 2010	June 30, 2011	
Total				
<i>SmartTrack Session Range –up to 550 sessions</i>				\$4,400.00